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Atty. Dkt. No. 02307U-132310US
(NEOME-016A)

AUG 31 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Baerveldt, et al.)

Art Unit: 3739

Serial No.: 10/052,473)

Examiner: Farah, A.

Filed: January 18, 2002)

For: Minimally Invasive Glaucoma
Surgical Treatment and Method)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
AND
TRANSMITTAL OF REQUEST FOR CONTINUING EXAMINATION (RCE)**

Sir:

In response to the Notice of Non-Compliant Amendment issued in response to the amendment filed on June 2, 2005, Applicant herewith files a Request for Continuing Examination (RCE). This RCE is believed to fully respond to the notice. Examination of the new claims submitted in the amendment of June 2, 2005 is respectfully requested.

Applicant believes that all claims are in condition for allowance. If the Examiner finds for any reason that a Notice of Allowance can not be issued at this time, Applicant requests the opportunity to arrange a telephone interview with the Examiner prior to issuance of any further office action.

Respectfully submitted,

Date: August 31, 2005

James M. Heslin
Reg. No. 29,541

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